

UNITED STATES DISTRICT COURT

for the
Eastern District of California

FILED

Mar 02, 2023

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America

v.

Genevra Kaye WINTON

Case No. 1:23-mj-00025-EPG

Defendant(s)

CRIMINAL COMPLAINT BY RELIABLE ELECTRONIC OR TELEPHONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2, 2023, in the county of Fresno in the
Eastern District of California, the defendant(s) violated:

Code Section

18 USC Section 922(g)(1)

Offense Description

Felon in Possession of a Firearm or Ammunition

15 years in prison, \$250,000, 3 years of supervised release, \$100 special
assessment fee

This criminal complaint is based on these facts:

See affidavit of HSI SA Jackie Lovato, attached hereto and incorporated herein.

☒ Continued on the attached sheet.

Jackie Lovato

Complainant's signature

Jackie Lovato, Special Agent

Printed name and title

Attested to by the applicant in accordance
with the requirements of Fed. R. Crim. P.
4.1 by telephone

Date: **Mar 2, 2023**

Erica P. Grosjean

Judge's signature

City and state: Fresno, CA

Hon. Erica P. Grosjean, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GENEVRA KAYE WINTON

Defendants.

CASE NO.
AFFIDAVIT OF HSI SA JACKIE LOVATO

I, Jackie Lovato, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the United States Department of Homeland Security (“DHS”)/ Immigration and Customs Enforcement/ Homeland Security Investigations (“HSI”), presently assigned to the Office of the Resident Agent in Charge, Fresno, California (“HSI Fresno”). I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C). I have been employed as an HSI Special Agent (SA) since December of 2018. I have received training in the area of federal narcotic offenses and am a graduate of the Federal Law Enforcement Training Center, Criminal Investigator and Immigration and Customs Enforcement Special Agent Training Programs. Prior to my appointment as a SA with HSI, I was previously a SA with the Treasury Inspector General for Tax Administration, a Border Patrol Agent, and Deportation Officer.

2. I have participated in investigations including, gangs, drugs, firearms, violent crimes, and others. My law enforcement experience includes conducting physical surveillance, interviewing witnesses, victims and suspects, writing affidavits for and executing search warrants, handling confidential informants, analyzing phone records obtained from subpoenas, search warrants, pen registers, trap and trace devices, and collecting and processing evidence. Through my training and experience as a law enforcement officer, I have become familiar with the gang sub-culture and drug sub-culture including knowledge of controlled substance and firearms violations.

3. This affidavit is made in support of a criminal complaint for Geneva Kaye WINTON for violating the following:

- Title 18, United States Code, Section 922(g)(1), Possession of a firearm and ammunition by a convicted felon.

4. The facts in the affidavit come from personal observations and training and, where noted, information related to me by other law enforcement officers and/or agents. Because this affidavit is written solely for the purpose of establishing probable cause for issuance of a criminal complaint, not all results of this investigation have been included herein.

I. PROBABLE CAUSE

A. Residential state search warrant pursuant to drug investigation

5. On February 24, 2023, the Honorable Heather Jones, Superior Court Judge in and for the County of Fresno, CA authorized a search warrant for the residence located at 4580 E University Ave #B Fresno, CA 93703 (**SUBJECT PREMISES**), the person of Geneva WINTON, and three vehicles.¹

6. On March 2, 2023, at approximately 7:01 AM, agents and officers from the Fentanyl Overdose Resolution Team (FORT) which is comprised of law enforcement personnel from Homeland Security Investigations (HSI), the Drug Enforcement Administration (DEA), Task Force Officers (TFO) from the Fresno Police Department (FPD), the Fresno Sheriff's Office (FSO), and the Clovis Police Department (CPD), executed the California state search warrant at the **SUBJECT PREMISES** and encountered WINTON as the sole occupant. During the search, agents found a loaded .45 Taurus revolver, "The Judge" loaded with five rounds of ammunition underneath a pillow on the bed. In the same bedroom, there was indicia including, a state of California EBT card, with the name "Genevra WINTON" on it.



¹ CA 8TVF494 Blue Minivan, CA5JRH476 Black Corolla, and CA 3WOZ721 Chrysler sedan. The Chrysler sedan and Corolla were the only vehicles present at the time of execution.

1 7. Agents and officers also observed a black cellphone on the same bed where the loaded
2 firearm was located, attached to a charger. Your affiant called WINTON's telephone number of (559)
3 412-6468,² and the black telephone that was on the bed rang in the presence of your affiant and HSI SA
4 Jeremy Hudson.

5 8. It should also be noted, there were two bedrooms in the residence. In the bedroom where
6 the firearm, ammunition, and black cellphone were found, agents observed women's clothing, multiple
7 pairs of women's shoes, multiple handbags, women's jewelry, and perfumes. The other bedroom
8 contained men's clothing, men's footwear, a video game console, and tools. In my training and
9 experience, there was a stark difference in the bedroom's appearance, and I believe each person had
10 their own separate bedroom with corresponding belongings, indicia, and possessions.

11 9. The firearm and ammunition were subsequently transported to HSI Fresno and secured
12 into evidence. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Special Agent Eric
13 Penman, who has specialized training in the manufacture origin, and identification of firearms and
14 ammunition, viewed photographs of the firearm and ammunition and opined that the .45 Taurus revolver
15 found under WINTON's bed pillow along with the five rounds of ammunition were not manufactured in
16 the state of California and therefore traveled in and affected interstate commerce.

17 10. WINTON has prior felony convictions and cannot lawfully possess a firearm or
18 ammunition. I reviewed Fresno County Superior Court's online records for WINTON's felony
19 conviction (F09905523) for felony conspiracy to present or cause to be presented any written or oral
20 statement as part of, or in support of or opposition to, a claim for payment or other benefit pursuant to an
21 insurance policy, knowing that the statement contains any false or misleading information concerning
22 any material fact in violation of California Penal Code Section 550 (b)(1). Those records indicated that
23 on February 16, 2010, WINTON signed a plea form and was advised of rights. I know from prior cases
24 that this typically means advisement if the maximum penalties which in that case were greater than a
25 year imprisonment.

27 ² Subscriber information from the provider, T-Mobile, annotated Genevra WINTON as the
28 subscriber of telephone number (559) 412-6468 and WINTON also provided (559) 412-6468 as her
telephone number to agents and officers when providing biographical information.

11. WINTON's criminal history report also indicated she suffered two additional convictions for felony offenses in or about 1999. Therefore, there is probable cause to believe that when WINTON possessed the firearm and ammunition, she had suffered (and knew she suffered) a prior felony conviction punishable by more than a year imprisonment.


12. On the basis of the aforementioned facts and circumstances described in this Affidavit, it is my belief that there is probable cause to believe that WINTON violated Title 18, United States Code Section 922(g)(1), Possession of a firearm/ammunition by a convicted felon.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.



Jackie Lovato, Special Agent
Homeland Security Investigations, HSI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by Telephone on



Hon. Erica P. Grosjean
United States Magistrate Judge

Reviewed as to form:

/s/ Justin J. Gilio
JUSTIN J. GILIO
Assistant U.S. Attorney